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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/712,554	11/14/2000	Robert W. Hammond	1448	9467

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EXAMINER
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BARQADLE, YASIN M

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 09/12/2003

2

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/712,554	HAMMOND, ROBERT W.
	<b>Examiner</b>	<b>Art Unit</b>
	Yasin M Barqadie	2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on \_\_\_\_.  
 2a) This action is FINAL.                  2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-16 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_ is/are allowed.  
 6) Claim(s) 1-16 is/are rejected.  
 7) Claim(s) \_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 11) The proposed drawing correction filed on \_\_\_\_ is: a) approved b) disapproved by the Examiner.  
     If approved, corrected drawings are required in reply to this Office action.  
 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
 \* See the attached detailed Office action for a list of the certified copies not received.  
 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
 a) The translation of the foreign language provisional application has been received.  
 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____ .
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ .	6) <input type="checkbox"/> Other: _____

**DETAILED ACTION**

1. Claims 1-16 are presented for examination.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-4, 6-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Harvey et al USPN. (6487583).

As per claim 1 and 9, Harvey et al teach a method for providing a plurality of user services to a plurality of users of a telecommunication network using a Personal Address Book (fig. 3, 252), said method comprising the steps of:

establishing an electronic Personal Address Book having an owner, said electronic Personal Address Book containing connection information associated with selected ones of said plurality of users of said telecommunication network [col. 4, line 44-61; col. 7, line 24-48];

receiving a request from said owner of said electronic Personal Address Book to activate a selected one of said plurality of user services [col. 13, lines 6-26];

accessing said electronic Personal Address Book and obtaining connection information for a selected one of said plurality of users from said Personal Address Book [col. 4, line 44-61; col. 13, lines 6-26]; and

performing a selected one of said plurality of user services, said selected one of said plurality of user services being performed using said connection information retrieved from said electronic Personal Address Book [col. 4, line 44-61; col. 13, lines 6-50].

As per claim 2 and 10, Harvey et al teach the invention wherein said service comprises virally extending a subscribing community [col. 13, line 28-65].

As per claim 3 and 11, Harvey et al teach the invention wherein said Personal Address Book includes email addresses and comprising the further step of sending e-mail messages to said addresses [col. 4, line 44-61].

As per claim 4, Harvey et al teach a method for extending a subscribing community and providing userservices using a Personal Address Book, said method comprising the steps of:

establishing a first Personal Address Book (a creator sets up a mailing list), said first Personal Address Book containing a plurality of entries, each of said entries having associated connection information and an associated user [col. 4, line 44-61; col. 7, line 24-48];

marking selected ones of said plurality of entries [col. 4, line 49-61; col. 11, lines 16-37];

sending an invitation to said associated users of said entries marked in said marking step by utilizing said connection information in said entries marked in said marking step [col. 4, line 44-61; col. 11, line 16-50]; and

receiving acceptances from the associated user of selected ones of said entries marked in said marking step and, in response to receiving each of said acceptances, creating a second Personal Address Book [col. 13, lines 6-26; col. 14, line 65 to col. 15, line 23].

As per claim 6, Harvey et al teach the method of claim 4 wherein said step of establishing said Personal Address Book includes creating a new Personal Address Book [col. 4, line 44-61; col. 7, line 24-48].

As per claim 7, Harvey et al teach the method of claim 6, further comprising the step of filling said entries of said Personal Address Book with information [col. 7, line 24-48].

As per claim 8, Harvey et al teach the method of claim 6, further comprising the step of creating a linkage to a plurality of services, wherein said services include e-mail [col. 6, line 47-59].

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 5, and 12-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harvey et al USPN 6487583) in view of Lim et al USPN (6574599).

As per claim 5, although Harvey et al shows substantial features of the claimed invention, he does not explicitly show receiving a voice message from a user.

Nonetheless, this feature is well known in the art and would have been an obvious modification of the system disclosed by Harvey et al, as evidenced by Lim et al USPN. (6574599).

In analogous art, Lim et al disclose a unified messaging system that receives verbal (voice) input from a user through a telephone. The verbal (voice) input includes an action word and called party identity or contacting data [abstract].

Giving the teaching of Lim et al, a person of ordinary skill in the art would have readily recognized the desirability and the advantage of modifying Harvey et al by employing the system of Lim et al for permitting a user to employ voice-based commands to access various data-centric and telephony-centric communication services of a computer-implemented unified messaging service and/or to issue, in a natural and intuitive manner, complex communication requests involving more than one telephone number/email address [col. 3, lines57-63].

As per claim 4, Lim et al further teaches requesting a connection to a destination number [col. 4, lines 2-11];

determining the content of said voice message [detecting a called party identity and contacting data from the verbal input message col. 4, lines 2-11];

retrieving said connection information from said first Personal Address Book based upon said content of said voice message, wherein said connection information is sufficient to establish a communicative connection between said user and said destination number [col. 4, lines 2-11 and col. 10, lines 29-43]; and

making said connection between said user and said destination number using said connection information [col. 4, lines 2-11].

As per claims 12 and 15, Harvey et al and Lim et al teach the invention as modified and explained in claim 4 above and later in claim 13.

Harvey et al access means for accessing a Personal Address Book, said Personal Address Book containing a plurality of callers [fig. 3 and col. 4, lines 2-11; col. 7 line 63 to col. 8, line 2];

Harvey et al teaches selection means, coupled to said access means, for selecting callers (users), (Lim teaches extensively about callers) in said Personal Address Book as invited callers [col. 13, lines 6-26];

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contact means, coupled to said selection means, for contacting said invited callers and asking said selected callers to join a subscribing community [see Harvey col. 13, lines 6-26];

reception means for receiving an answer from said invited callers [see Harvey col. 13, lines 6-26]; and

creation means, coupled to said reception means, for creating a plurality of second Personal Address Books in response to receiving said answer from said invited callers [see Harvey col. 7, line 24-48 and col. 13, lines 6-26; col. 14, line 65 to col. 15 line 23].

As per claim 13, Lim et al teach a service node in a telecommunications network, said telecommunications network having a plurality of users, said node comprising [fig. 3]:

a Voice-Activated Dialing module for receiving messages from an owner of a Personal Address Book, said Personal Address Book comprising connection information, said Voice-Activated Dialing module also determining the contents of said messages [abstract; col. 4, lines 2-11; col. 7 line 63 to col. 8, line 2]; and

a Personal Address Book services module coupled to said Voice-Activated Dialing module, said Personal Address Book services module accessing said Personal Address Book and providing Personal Address Book services in response to the receipt of said messages [abstract; col. 4, lines 2-11; col. 7 line 63 to col. 8, line 2], Harvey et al teach wherein said services include virally extending a subscribing community using

said connection information in said Personal Address Book [col. 13, line 28-65].

As per claim 14, Harvey et al teach the service node of claim 13 wherein said Personal Address Book contains a plurality of entries and said Personal Address Book services further include creating a Personal Address Book, making a communicative connection to a selected one of said plurality of entries of said Personal Address Book, and sending an e-mail to an address contained in said Personal Address Book [col. 4, line 44-61 and col. 17, lines 36-42].

As per claim 16, the claim includes similar limitations as address in claim 13 above except for the following limitations:

a wireless device (See Lim et al, fig. 3, 320);  
a telecommunications network coupled to said wireless device (See Lim et al, fig. 3, 308).

### **Conclusion**

The prior made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Barqadle whose telephone number is 703-305-5971. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 703-305-9717. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-304-3900.

Yasin Barqadle



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